

**AMENDMENTS TO THE DRAWINGS:**

The attached drawing(s) include changes to FIG. 8. The sheet containing FIG. 8 replaces the original sheet including FIG. 8. In FIG. 8, the symbols have been labeled with textual descriptions

In the Office Action at item 3 and 4, the Examiner objected to the drawings. In order to overcome these objections, replacement figures are submitted herewith. In FIG. 8, the symbols have been labeled with textual descriptions. Approval of these changes to the Drawings is respectfully requested.

## REMARKS

In accordance with the foregoing, claim 1, 10 and 17 have been amended. Claims 1-17 are pending and under consideration. In the June 22, 2006 Office Action, claims 1-17 were rejected under 35 U.S.C. § 101 and 35 U.S.C. § 102(e) as being anticipated by Tanner et al. (U.S. Patent Application Publication 2004/0243588) (hereinafter Tanner). All rejections are traversed below.

### Objections to the Specification

Item 1, on page 2 of the Office Action, objected to Fig. 1 for failing to show necessary textual labels. A review of Fig. 1 does not show the reference numerals indicated in the Office Action, for example, labeling element 172 as "Network" (page 2, item 1, lines 2-3). Per a phone conversation on November 2, 2006 with the Examiner, it appeared that the objection to Fig. 1 was in error and what the Examiner intended was an objection to Fig. 8. The symbols in Fig. 8 have been labeled to better comply with 37 C.F.R. § 1.84(n)(o). Withdrawal of the objection to Fig. 1 is respectfully requested.

Item 2, on page 2 of the Office Action, objected to the drawings for failing to comply with 37 C.F.R. § 1.84(p)(5). Generally speaking, the Office Action cited forms described in the specification that were not shown in the drawings. It is submitted the forms discussed in pages cited by the Office Action are not Reference Numerals contemplated by 37 C.F.R. § 1.84(p)(5). Rather, these forms are public documents published by the Security and Exchanged Commission (SEC) and are well known to one skilled in the art. Therefore it is submitted that Reference Numerals are not needed for SEC forms 3, 4, 5, and 144 discussed on pages 5 and 8 of the above referenced application. Withdrawal of the objection to Figs. 3 and 4A-4F is respectfully requested.

Item 3, on page 3 of the Office Action, objected to the description of Fig. 8 because of a reference to a Reference Numeral not disclosed in the drawing. The description of Fig. 8 in the specification has been amended and withdrawal of the objection is respectfully requested.

Item 4, on page 3 of the Office Action, objected to claim 17 because of an informality and cited the use of "the accessing" as the informality. Claim 17 has been amended and withdrawal of the objection is respectfully requested.

### Non Prior Art Rejections

Item 5, on page 3 of the Office Action, rejected claims 1-17 for claiming an invention directed to non-statutory subject matter. The Office Action cited claims 1-17 as not producing tangible results and therefore non-statutory. Independent claim 1 recites "A method of delivering a non-uniquely identified name ... and delivering that determination" (claim 1, lines 1-12). It is submitted that "delivering a non-uniquely identified name" is a tangible result within the meaning of 35 U.S.C. § 101. Likewise, independent claim 10 recites, "delivering that determination" (claim 10, line 8) and claim 17 recites, "delivering a non-uniquely identified name" (claim 17, line 1). It is submitted that both claims 10 and 17 each produce a tangible result. All remaining pending claims depend upon claim 1, 10 or 17. Therefore, it is submitted that all dependent claims each produce a tangible result. Withdrawal of the rejection under 35 U.S.C. § 101 is respectfully requested.

### Prior Art Rejections

Item 7, on page 4 of the Office Action, rejected claims 1-17 as being anticipated by Tanner. The rejection of claims 1-17 is respectfully traversed and reconsideration is requested.

Independent claim 1 is amended herein to recite, "a target dataset, not derived from the source dataset, of non-uniquely identified persons" (claim 1, line 6). Therefore, the target dataset recited in claim 1 is independent and separate from the source dataset recited in claim 1.

On page 5, the Office Action cited paragraph [0021] of Tanner as anticipating the recited target dataset of claim 1. The cited paragraph described administering a "global information database" (paragraph [0021], lines 3-4), the same "global information database" used by the Office Action to allegedly anticipate the source dataset of claim 1 (page 5, line 1). Thus, the Office Action fails to make a *prima facie* case that Tanner anticipates claim 1 because the target dataset is "not derived from the source dataset" (claim 1, line 6), and consequently, any allegedly anticipating prior art cannot use the same dataset to anticipate both the target and source dataset.

Therefore, it is respectfully submitted that Tanner does not anticipate claim 1, and as amended, claim 1 patentably distinguishes over Tanner. Likewise, dependent claims 2-9 dependent on claim 1 and it is respectfully submitted that claims 2-9 patentably distinguish over Tanner for the reasons submitted above for claim 1.

On page 6, the Office Action cited paragraph [0307] of Tanner as anticipating "given non-

uniquely identified target names and target ages/addresses corresponding to target persons" from claim 10, lines 2-3. Paragraph [0307] of Tanner identifies records 1506 that appears in Fig. 12. Fig. 12, in turn, shows a table that identifies a person's social security number as well as that person's name and address. Thus, paragraph [0307] of Tanner describes records that uniquely identify a person because the records shown in Fig. 12 and described in paragraph [0307] show records that include uniquely identifying information – namely, a person's social security number. Since Tanner at paragraph [0307] describes records that uniquely identify's a person's name and address, and claim 10 recites "given non-uniquely identified target names and target ages/addresses" it is submitted that Tanner does not anticipate claim 10.

Therefore, it is respectfully submitted that claim 10 patentably distinguishes over Tanner. Likewise, claims 11-16 depend on claim 10 and it is respectfully submitted that claims 11-16 patentably distinguish over Tanner for the reasons submitted above for claim 10.

Independent claim 17 recites an apparatus storing a "target dataset, not derived from the source dataset" (claim 17, line 7). It is respectfully submitted, for the reasons submitted above for claim 1, that claim 17 patently distinguishes over Tanner.

#### Summary

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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